

1 AMENDMENT TO HOUSE BILL 2299

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2299, AS AMENDED,  
3 in subsection (a) of Sec. 16.5 of Section 5, by replacing  
4 "who acts" with "who knowingly acts"; and

5 in subsection (a) of Sec. 16.5 of Section 5, by replacing "or  
6 uses charitable" with "or knowingly uses charitable"; and

7 by replacing all of subsections (b) and (c) of Sec 16.5 of  
8 Section 5 with the following:

9 "(b) An ex parte action may be commenced by the Attorney  
10 General, and, upon a showing of probable cause of a violation  
11 of this Section or Article 29D of the Criminal Code of 1961,  
12 an immediate seizure of books and records and assets by the  
13 Attorney General by and through his or her assistants or  
14 investigators or the Department of State Police shall be made  
15 by order of a court to protect the public, protect the  
16 assets, and allow a full review of the records.

17 (c) Upon a finding by a court after a hearing that a  
18 person or organization has acted or is in violation of this  
19 Section, the person or organization shall be permanently  
20 enjoined from soliciting funds from the public, holding  
21 charitable funds, or acting as a trustee or fiduciary within  
22 Illinois. Upon a finding of violation all assets and funds

1 held by the person or organization shall be forfeited to the  
2 People of the State of Illinois or otherwise ordered by the  
3 court to be accounted for and marshaled and then delivered to  
4 charitable causes and uses within the State of Illinois by  
5 court order."; and

6 in subsection (e) of Sec. 16.5 of Section 5, by inserting  
7 "knowing" after "Any"; and

8 in the first sentence of subsection (g-5) of Sec. 14-3 of  
9 Section 15, by replacing "notification of" with "notification  
10 to"; and

11 in the first sentence of subsection (g-5) of Sec. 14-3 of  
12 Section 15, by replacing "party of" with "party to"; and

13 in the second paragraph of subsection (g-5) of Sec. 14-3 of  
14 Section 15, by inserting "with notice to all parties present"  
15 after "camera"; and

16 in the second paragraph of subsection (g-5) of Sec. 14-3 of  
17 Section 15, by deleting "under Illinois evidence law"; and

18 by inserting after the end of subsection (g-5) of Sec. 14-3  
19 of Section 15 the following:

20 "No conversations recorded or monitored pursuant to this  
21 subsection (g-5) shall be inadmissible in a court of law by  
22 virtue of the repeal of this subsection (g-5) on January 1,  
23 2005."; and

24 in clause (B) of paragraph (2) of subsection (a) of Sec.  
25 29B-1 of Section 15, by inserting "as defined by subdivision  
26 (b)(6)" after "activity"; and

27 in subsection (a) of Sec. 29B-1 of Section 15, by replacing  
28 "represented to be the proceeds of specified criminal  
29 activity or property used to conduct or facilitate specified  
30 criminal activity" with "he or she believes to be the

1 proceeds of specified criminal activity as defined by  
2 subdivision (b)(6) or property used to conduct or facilitate  
3 specified criminal activity as defined by subdivision  
4 (b)(6)"; and

5 by deleting subdivision (5) of subsection (b) of Sec. 29B-1  
6 of Section 15; and

7 by redesignating subdivisions (6) and (7) of subsection (b)  
8 of Sec. 29B-1 of Section 15 as subdivisions (5) and (6),  
9 respectively; and

10 in the redesignated subdivision (6) of subsection (b) of Sec.  
11 29B-1 of Section 15, by inserting "(720 ILCS 5/20.5-5)" after  
12 "20.5-5"; and

13 by inserting after the end of Sec. 29D-5 of Section 15 the  
14 following:

15 "An investigation may not be initiated or continued for  
16 activities protected by the First Amendment to the United  
17 States Constitution, including expressions of support or the  
18 provision of financial support for the nonviolent political,  
19 religious, philosophical, or ideological goals or beliefs of  
20 any person or group."; and

21 in Sec. 29D-10 of Section 15, by inserting "(a)" before  
22 "Computer network" means"; and

23 in Sec. 29D-10 of Section 15, by inserting "(b)" before  
24 "Computer" means"; and

25 in Sec. 29D-10 of Section 15, by inserting "(c)" before  
26 "Computer program" means"; and

27 in Sec. 29D-10 of Section 15, by inserting "(d)" before  
28 "Data" means"; and

29 in Sec. 29D-10 of Section 15, by inserting "(e)" before

1     "Biological products used in agriculture" includes; and  
2     in Sec. 29D-10 of Section 15, by inserting "(f)" before  
3     "Agricultural products" means; and  
4     in Sec. 29D-10 of Section 15, by inserting "(g)" before  
5     "Agricultural production" means; and  
6     in Sec. 29D-10 of Section 15, by inserting "(h)" before  
7     "Livestock" means; and  
8     in Sec. 29D-10 of Section 15, by inserting "(i)" before  
9     "Crops" means; and  
10    in Sec. 29D-10 of Section 15, by inserting "(j)" before  
11    "Communications systems" means; and  
12    in Sec. 29D-10 of Section 15, by inserting "(k)" before  
13    "Substantial damage" means; and  
14    in Sec. 29D-10 of Section 15, by inserting "(l)" before  
15    "Terrorist act" or; and  
16    in Sec. 29D-10 of Section 15, by inserting "(m)" before  
17    "Terrorist" and "terrorist organization" means; and  
18    in Sec. 29D-10 of Section 15, by inserting "(n)" before  
19    "Material support or resources" means; and  
20    in Sec. 29D-10 of Section 15, by inserting "(o)" before  
21    "Person" has the meaning; and  
22    in Sec. 29D-10 of Section 15, by inserting "(p)" before  
23    "Render criminal assistance" means; and  
24    in the first sentence of subsection (a) of Sec. 29D-15 of  
25    Section 15, by inserting "(720 ILCS 5/20.5-5)" after  
26    "20.5-5"; and  
27    in the first sentence of subsection (a) of Sec. 29D-15 of  
28    Section 15, by inserting "(1)" after "29D-10"; and

1 in subsection (b) of Sec. 29D-15 of Section 15, by inserting  
2 "(720 ILCS 5/20.5-5)" after "20.5-5"; and

3 in subsection (a) of Sec. 29D-20 of Section 15, by inserting  
4 "(1)" after "29D-10"; and

5 in subsection (a) of 29D-20 of Section 15, by replacing  
6 "imminent commission of a terrorist act or of another  
7 terrorist act" with "imminent commission of a terrorist act  
8 as defined in Section 29D-10(1) or of another terrorist act  
9 as defined in Section 29D-10(1)"; and

10 in subsection (a) of Sec. 29D-25 of Section 15, by inserting  
11 "(1)" after "29D-10"; and

12 in subsection (a) of Sec. 29D-25 of Section 15, by inserting  
13 "knowingly" after "otherwise"; and

14 in subsection (a) of Sec. 29D-25 of Section 15, by inserting  
15 "(720 ILCS 5/20.5-5)" after "20.5-5" and

16 in clause (1) of subsection (a) of Sec. 29D-30 of Section 15,  
17 by inserting "(1)" after "29D-10"; and

18 in clause (2) of subsection (a) of Sec. 29D-30 of Section 15,  
19 by inserting "(1)" after "29D-10"; and

20 in the second sentence of clause (1) of subsection (a) of  
21 Sec. 29D-65 of Section 15, by inserting "Within 10 days that  
22 person is entitled to a hearing." after "assets."; and

23 by inserting after the end of Sec. 29D-70 of Section 15 the  
24 following:

25 "Section 17. The Boarding Aircraft With Weapon Act is  
26 amended by changing Section 7 as follows:

27 (720 ILCS 545/7) (from Ch. 38, par. 84-7)

28 Sec. 7. Sentence. Violation of this Act is a Class 4

1 felony A-misdemeanor.

2 (Source: P.A. 82-662.)"; and

3 in subsection (b) of Sec. 108-4 of Section 20, by replacing  
4 clause (7) with the following:

5 "(7) Motion to suppress based on failure to obtain  
6 a written affidavit. Evidence obtained pursuant to a  
7 warrant issued under this subsection (b) is not subject  
8 to a motion to suppress on the ground that the  
9 circumstances were not such as to make it reasonable to  
10 dispense with a written affidavit, absent a finding of  
11 bad faith. All other grounds to move to suppress are  
12 preserved."; and

13 in subsection (b) of Sec. 108-4 of Section 20, by inserting  
14 after the end of subdivision (8) the following:

15 "(9) No evidence obtained pursuant to this  
16 subsection (b) shall be inadmissible in a court of law  
17 by virtue of subdivision (8)."; and

18 in subsection (c) of Sec. 108B-1 of Section 20, by replacing  
19 "for hire" with "~~fɔɹ-hɪrɛ~~"; and

20 in the second sentence of subsection (b) of Sec. 108B-7.5 of  
21 Section 20, by replacing "subdivision (a)(2) may" with  
22 "subdivision (a)(2) may upon notice to the People"; and

23 in the last sentence of subsection (b) of Sec. 108B-7.5 of  
24 Section 20, by deleting ", upon notice to the government,";  
25 and

26 in the last sentence of subsection (a) of Sec. 2 of Section  
27 21, by replacing "and violations of the Cannabis and  
28 Controlled Substances Tax Act" with "and violations of the  
29 Cannabis and Controlled Substances Tax Act, and violations of  
30 Article 29D of the Criminal Code of 1961"; and

31 in subsection (a) of Sec. 16.5 of Section 30, by replacing

1 "who acts" with "who knowingly acts"; and  
2 in subsection (a) of Sec. 16.5 of Section 30, by replacing  
3 "or uses charitable" with "or knowingly uses charitable"; and  
4 by replacing all of subsections (b) and (c) of Sec. 16.5 of  
5 Section 30 with the following:

6 "(b) An ex parte action may be commenced by the Attorney  
7 General, and, upon a showing of probable cause of a violation  
8 of this Section or Article 29D of the Criminal Code of 1961,  
9 an immediate seizure of books and records and assets by the  
10 Attorney General by and through his or her assistants or  
11 investigators or the Department of State Police shall be made  
12 by order of a court to protect the public, protect the  
13 assets, and allow a full review of the records.

14 (c) Upon a finding by a court after a hearing that a  
15 person or organization has acted or is in violation of this  
16 Section, the person or organization shall be permanently  
17 enjoined from soliciting funds from the public, holding  
18 charitable funds, or acting as a trustee or fiduciary within  
19 Illinois. Upon a finding of violation all assets and funds  
20 held by the person or organization shall be forfeited to the  
21 People of the State of Illinois or otherwise ordered by the  
22 court to be accounted for and marshaled and then delivered  
23 to charitable causes and uses within the State of Illinois by  
24 court order."; and

25 in subsection (e) of Sec. 16.5 of Section 30, by inserting  
26 "knowing" after "Any".